

1 may bring to recover his attorneys' fees and costs ("Fees Motion"). Any Fees Motion shall be
2 filed within 60 days of the date the Court issues its Order on this stipulation.

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4 **IT IS SO STIPULATED.**

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6 Dated: November 7, 2023

MOORE LAW FIRM, P.C.

7 /s/ Tanya E. Moore

8 Tanya E. Moore
9 Attorney for Plaintiff,
Darren Gilbert

10
11 Dated: November 7, 2023

MICHAEL S. WARDA,
a Professional Law Corporation

12 /s/ Michael S. Warda

13 Michael S. Warda
14 Attorney for Defendants,
15 Gabriel Castrejon dba El Marisquero,
16 Ignacio Castrejon Alvarez dba El
17 Marisquero, and Guaranty Holdings of
18 California, Inc.

ORDER

On November 7, 2023, the parties filed a joint stipulation dismissing the action with prejudice. (Doc. 54). In light of the parties' stipulation,

IT IS HEREBY ORDERED as follows:

1. Plaintiff Darren Gilbert ("Plaintiff") and Defendants, Gabriel Castrejon dba El Marisquero, Ignacio Castrejon Alvarez dba El Marisquero, and Guaranty Holdings of California, Inc. (collectively "Defendants") shall comply with the terms of the Settlement Agreement and Release in Full, the terms of which are incorporated herein by reference.

2. By consent of Plaintiff and Defendants, the Court shall retain jurisdiction in this matter for the purpose of adjudicating any motion by Plaintiff to recover his attorneys' fees and costs ("Fees Motion") until February 6, 2024. Plaintiff shall file any Fees Motion within 60 days of the date of this Order.

3. Except as provided for in paragraphs 1 and 2 above, this action has been terminated, *see* Fed. R. Civ. P. 41(a)(1)(A)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997), and has been dismissed with prejudice. Accordingly, the Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: November 8, 2023

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE